

# SCHOENBECK LAW, PC

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October 6, 2021

**Via ECF**

Magistrate Judge Veronica Duffy  
United States District Court for the District  
of South Dakota, Southern Division  
400 S. Phillips Ave.  
Sioux Falls, SD 57104

Re: *Dakota Energy Cooperative, Inc. v. East River Electric  
Power Cooperative*, Case 4:20-cv-04192-LLP

Dear Magistrate Judge Duffy:

Dakota Energy respectfully requests that you resolve a discovery dispute with East River pursuant to the expedited procedure in the Supplemental Report of the Parties' Planning Meeting as to Discovery Phase One (ECF No. 50 ¶ 4.k), which Judge Piersol adopted in his Rule 16 Scheduling Order. (ECF No. 57 ¶¶ 1, 7.)

Dakota Energy declared an impasse after the parties were unable to resolve their dispute. Included with this letter as **Attachment A** is Dakota Energy's Position Statement and as **Attachment B** is East River's Position Statement.

Sincerely,



Lee Schoenbeck

Attachments

cc: Counsel of Record